



Gaming Committee

Filed: 3/12/2008

09500HB4128ham001

LRB095 12878 BDD 48258 a

1 AMENDMENT TO HOUSE BILL 4128

2 AMENDMENT NO. _____. Amend House Bill 4128 as follows:

3 on page 1, line 5, by changing "and 7.15" to "7.15, and 27.5";
4 and

5 on page 1, line 11, by changing "adopt rules" to "propose rules
6 to the General Assembly"; and

7 on page 1, line 13, by changing "rules" to "proposed rules";
8 and

9 on page 1, by replacing lines 21 through 23 with the following:
10 "Department shall be offered to Internet players, and
11 additional lottery games may be offered through the electronic
12 distribution"; and

13 on page 2, line 7, by changing "The Department shall determine"

1 to "The Department's proposed rules must include a
2 determination of"; and

3 on page 2, line 12, by deleting "by rule and"; and

4 on page 2, line 17, by changing "By rule, the Department shall"
5 to "The Department's proposed rules must"; and

6 on page 2, line 19, by changing "The Department may, by rule,"
7 to "The Department's proposed rules may"; and

8 on page 4, by deleting lines 10 and 11; and

9 on page 6, immediately below line 3, by inserting the
10 following:

11 "(20 ILCS 1605/27.5 new)

12 Sec. 27.5. No rulemaking authority. Notwithstanding any
13 other provision of this Act or any other rulemaking authority
14 that may exist, on and after the effective date of this
15 amendatory Act of the 95th General Assembly, neither the
16 Governor nor any agency or agency head under the jurisdiction
17 of the Governor has any authority to make or promulgate rules
18 to implement or enforce the provisions of this Act. If,
19 however, the Department believes that rules are necessary to
20 implement or enforce the provisions of this Act, the Department

1 may suggest rules to the General Assembly by filing them with
2 the Clerk of the House and Secretary of the Senate and by
3 requesting that the General Assembly authorize such rulemaking
4 by law, enact those suggested rules into law, or take any other
5 appropriate action in the General Assembly's discretion.
6 Nothing contained in this Act shall be interpreted to grant
7 rulemaking authority under any other Illinois statute where
8 such authority is not otherwise explicitly given. For the
9 purposes of this Act, "rules" is given the meaning contained in
10 Section 1-70 of the Illinois Administrative Procedure Act, and
11 "agency" and "agency head" are given the meanings contained in
12 Sections 1-20 and 1-25 of the Illinois Administrative Procedure
13 Act to the extent that such definitions apply to agencies or
14 agency heads under the jurisdiction of the Governor."